



7020-02

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-918]

Certain Toner Cartridges and Components Thereof

Institution of investigation pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 7, 2014, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Canon Inc. of Japan; Canon U.S.A., Inc. of Melville, New York; and Canon Virginia, Inc. of Newport News, Virginia. A letter supplementing the complaint was filed on May 14, 2014. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of certain claims of U.S. Patent No. 8,280,278 (“the ‘278 patent”); U.S. Patent No. 8,630,564 (“the ‘564 patent”); U.S. Patent No. 8,682,215 (“the ‘215 patent”); U.S. Patent No. 8,676,090 (“the ‘090 patent”); U.S. Patent No. 8,369,744 (“the ‘744 patent”); U.S. Patent No. 8,565,640 (“the ‘640 patent”); U.S. Patent No. 8,676,085 (“the ‘085 patent”); U.S. Patent No. 8,135,304 (“the ‘304 patent”); and U.S. Patent No. 8,688,008 (“the ‘008 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion order, and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2014).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on June 6, 2014, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of one or more of claims 160, 165, and 166 of the '278 patent; claims 171, 176, 179, 181, 189, 192, and 200 of the '564 patent; claims 23, 26, 27, and 29 of the '215 patent;

claims 1-4 of the '090 patent; claim 1 of the '744 patent; claim 1 of the '640 patent; claims 1-4 of the '085 patent; claim 1 of the '304 patent; and claims 1, 7-9, 11, 12, and 34 of the '008 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Canon Inc.
30-2, Shimomaruko 3-chome
Ohta-ku, Tokyo 146-8501, Japan

Canon U.S.A., Inc.
One Canon Park
Melville, New York 11747

Canon Virginia, Inc.
12000 Canon Boulevard
Newport News, Virginia 23606

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Ninestar Image Tech Limited
No. 3883, Zhuhai Avenue
Xiangzhou District

Zhuhai Guangdong, China 519060

Zhuhai Seine Technology Co., Ltd.

No. 3883, Zhuhai Avenue

Xiangzhou District

Zhuhai Guangdong, China 519060

Ninestar Technology Company, Ltd.

17950 East Ajax Circle

City of Industry, California 91748

Seine Tech (USA) Co., Ltd.

19805 Harrison Avenue

Walnut, California 91789

Seine Image Int'l Co., Ltd.

9/F Unit 18, New Commerce Centre

No. 9 On Lai Street, Shatin, Hong Kong

Ninestar Image Tech, Ltd.

9/F Unit 18, New Commerce Centre

No. 9 On Lai Street, Shatin, Hong Kong

Seine Image (USA) Co., Ltd.

1142 South Diamond Bar Boulevard, # 466

Diamond Bar, California 91765

Nano Pacific Corporation

191 Beacon Street

South San Francisco, California 94080

Aster Graphics, Inc.

540 S. Melrose Street

Placentia, California 92870

Jiangxi Yibo E-tech Co., Ltd.

No. 756 Feiyu Avenue

Xinyu Hi-Tech Industry Development Area

Xinyu City, Jiangxi, 338004 China

Aster Graphics Co., Ltd.

No. C71, 2/F, Building E, Phase 1

Parklane Centre, Agile Garden

Sanxiang, Zhongshan

Guangdong, China 528463

Print-Rite Holdings Ltd.

Unit 8, 10/F, Block A, MP Industrial Centre

No. 18 Ka Yip Street

Chai Wan, Hong Kong

Print-Rite N.A., Inc.

341 Mason Road

La Vergne, Tennessee 37086

Union Technology Int'l (M.C.O.) Co. Ltd.

14H Nam Kwong Building

223-225 Avenida Dr. Rodrigo Rodrigues

Macau, SAR, China

Print-Rite Unicorn Image Products Co. Ltd.

No. 32 Pingbeiyi Road

Nanping Technology Industry Park

Nanping Town, Xiangzhou District

Zhuhai, Guangdong, 519060 China

Innotex Precision Ltd.

Unit 6, 10/F, Block A, MP Industrial Centre

No. 18 Ka Yip Street

Chai Wan, Hong Kong

International Laser Group, Inc.

6022 Variel Avenue

Woodland Hills, California 91367

Shenzhen ASTA Official Consumable Co., Ltd.

E Building, Huilongpu Industrial Area

AI'xin Road

Longgang District, Shenzhen, China

Acecom, Inc. - San Antonio

d/b/a InkSell.com

14034 Nacogdoches Road

San Antonio, Texas 78247

ACM Technologies, Inc.

2535 Research Drive

Corona, California 92882

American Internet Holdings, LLC

268 Greenwood Avenue

Midland Park, New Jersey 07432

The Supplies Guys, LLC
268 Greenwood Avenue
Midland Park, New Jersey 07432

Do It Wiser LLC
d/b/a Image Toner
4255 Trotters Way #84
Alpharetta, Georgia 30004

Grand Image Inc.
d/b/a Grand Image USA
d/b/a INK4S.com
19909 Harrison Avenue
City of Industry, California 91789

Green Project, Inc.
15335 Don Julian Road
Hacienda Heights, California 91745

Ink Technologies Printer Supplies, LLC
7600 McEwen Road
Dayton, Ohio 45459

Katun Corporation
10951 Bush Lake Road
Bloomington, Minnesota 55438

LD Products, Inc.
3700 Cover Street
Long Beach, California 90808

Linkyo Corp.
629 South 6th Avenue
La Puente, California 91746

Nectron International, Inc.
725 Park Two Drive
Sugar Land, Texas 77478

Online Tech Stores, LLC
d/b/a SuppliesOutlet.com
d/b/a SuppliesWholesalers.com
d/b/a OnlineTechStores.com
500 Damonte Ranch Parkway, Suite 944
Reno, Nevada 89521

Printronic Corporation
d/b/a Printronic.com
d/b/a InkSmile.com
1621 East Saint Andrew Place
Santa Ana, California 92705

Zinyaw LLC
d/b/a TonerPirate.com
14781 Memorial Drive, Suite 1359
Houston, Texas 77079

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: June 6, 2014.

Lisa R. Barton,
Secretary to the Commission.